IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.M.JOSEPH

TUESDAY, THE 6TH NOVEMBER 2007 / 15TH KARTHIKA 1929

WP(C).No. 20507 of 2007(N)

PETITIONER:
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1. SAJI ABRAHAM, KAUVELIL HOUSE,
PADINJATINKARA P.O., KIDANGOOR, KOTTAYAM DISTRICT.

2. ALEYAMMA ABRAHAM, KAUVELIL HOUSE,
PADINJATINKARA P.O., KIDANGOOR, KOTTAYAM DISTRICT.

BY ADV. SRI.GEORGEKUTTY MATHEW

RESPONDENTS:
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1. THE KADANADU SERVICE CO-OPERATIVE BANK
LTD., KADANADU P.O., KOTTAYAM DISTRICT,
REPRESENTED BY ITS SECRETARY.

2. THE SPECIAL SALES OFFICER, (KIDANGOOR
SERVICE CO-OPERATIVE BANK GROUP), OFFICE OF THE
ASSISTANT REGISTRAR OF CO-OPERATIVE SOCIETIES
MEENACHIL, PALAI, KOTTAYAM DISTRICT.

BY ADV. SRI.MATHEW JOHN (K)
SRI.AJEESH K.SASI
GOVT. PLEADER SRI.P.K.RAVIKRISHNAN

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 06/11/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1	**TRUE COPY OF THE AUCTION NTOICE DTD. 30-05-07 ISSUED BY THE SECOND RESPONDENT TO THE PETITOINERS.**
EXT.P2	**TRUE COPY OF THE AUCTION NOTICE DTD. 30-05-07 ISSUED BY THE SECOND RESPONDENT TO THE SECOND PETITIONER.**
EXT.P3	**TRUE COPY OF THE REPRESENTATION SUBMITTED BY THE PETITIONERS BEFORE THE FIRST RESPONDENT DTD. 30-06-07**
EXT.P4	**TRUE COPY OF THE NOTICE DTD. 5-09-07 ISSUED BY THE SECOND RESPONDENT TO THE FIRST PETITIONER.**

/True Copy/

PA to Judge.

K.M.JOSEPH, J.

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W.P.(c).No.20507 OF 2007

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Dated this the 6th day of November , 2007

JUDGMENT

Petitioners availed a loan. It is not repaid. Petitioners challenge the recovery proceedings. I heard learned counsel for the respondent-Bank also. Learned counsel for the petitioners submits that petitioners may be permitted to pay off the entire amounts in easy instalments.

The writ petition is disposed of permitting the petitioners to pay off the entire amount remaining to be paid with due interest in eight equal monthly instalments, the first of which shall be payable on or before 10/12/2007. Petitioners are to pay the remaining instalments on or before the 10th working day of every succeeding months. The respondent-Bank will serve a statement on the petitioners showing amount remaining to be paid and also the amount of instalments to be paid on the basis that the amount is to be paid in 8 equal monthly instalments, within two weeks from today. It is submitted by the learned counsel for the

first respondent that there is an interim order dated 25/09/2007 and the petitioners have taken Demand Draft. But it is not yet credit to the loan account of the petitioner, it is submitted. The first respondent is permitted to credit the amount of demand draft taken by the petitioners to his loan account. If the petitioners do not pay any of the instalments as aforesaid, it is open to the respondent-Bank to proceed against the petitioners in accordance with law

(K.M.JOSEPH, JUDGE)

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